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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DANIEL SILNA, in his capacity as general partner
of White Lake Associates, WHITE LAKE
ASSOCIATES, JOAN SILNA, as partner of White
Lake Associates, AMY SILNA, SHAFRON

Adv. Pro. No. 10-04472 (SMB)

TRUST, as partner of White Lake Associates, E.S.
Trust, as partner of White Lake Associates, N.S.
TRUST, as partner of White Lake Associates,
TRACY SILNA ZUR, as partner of White Lake
Associates, C.Z. TRUST, as partner of White Lake
Associates, K.Z. TRUST, as partner of White Lake
Associates, L.Z. TRUST, as partner of White Lake
Associates,
Defendants.

**STIPULATION AND ORDER DISMISSING DEFENDANTS FROM ADVERSARY
PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Daniel Silna, in his capacity as general partner of White Lake Associates, White Lake Associates, Joan Silna, as partner of White Lake Associates, Amy Silna Shafron Trust, as partner of White Lake Associates, E.S. Trust, as partner of White Lake Associates, N.S. Trust, as partner of White Lake Associates, Tracy Silna Zur, as partner of White Lake Associates, C.Z. Trust, as partner of White Lake Associates, K.Z. Trust, as partner of White Lake Associates, L.Z. Trust, as partner of White Lake Associates, (“Defendants”), by and through their counsel, Wachtel Missry (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed the Complaint against Daniel Silna, individually and in his capacity as general partner of White Lake Associates, White Lake Associates, Joan Silna, as partner of White Lake Associates, Amy Silna Shafron Trust, as partner of White Lake Associates, E.S. Trust, as partner of White Lake Associates, N.S. Trust, as partner of White Lake Associates, Tracy Silna Zur, as partner of White Lake Associates, C.Z. Trust, as

partner of White Lake Associates, K.Z. Trust, as partner of White Lake Associates, L.Z. Trust, as partner of White Lake Associates, Guy Colaneri, as partner of White Lake Associates, and Carol Colaneri, as partner of White Lake Associates. The Complaint was served on February 2, 2011.

2. On September 16, 2011, the Trustee entered into a stipulation and order to dismiss defendant Guy Colaneri and Carol Colaneri from the Adversary Proceeding. The stipulation was so ordered on September 20, 2011.

3. On August 17, 2015, Daniel Silna, individually and in his capacity as general partner of White Lake Associates, White Lake Associates, Joan Silna, as partner of White Lake Associates, Amy Silna Shafron Trust, as partner of White Lake Associates, E.S. Trust, as partner of White Lake Associates, N.S. Trust, as partner of White Lake Associates, Tracy Silna Zur, as partner of White Lake Associates, C.Z. Trust, as partner of White Lake Associates, K.Z. Trust, as partner of White Lake Associates, L.Z. Trust, as partner of White Lake Associates filed and served an answer on the Trustee.

4. On January 29, 2016, the Parties entered into a partial settlement agreement with Daniel Silna in his individual capacity pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

5. On November 1, 2016, the Parties entered into a settlement agreement with Daniel Silna in his capacity as general partner of White Lake Associates, White Lake Associates, Joan Silna, as partner of White Lake Associates, Amy Silna Shafron Trust, as partner of White Lake Associates, E.S. Trust, as partner of White Lake Associates, N.S. Trust, as partner of White Lake Associates, Tracy Silna Zur, as partner of White Lake Associates, C.Z. Trust, as partner of White Lake Associates, K.Z. Trust, as partner of White Lake Associates, L.Z. Trust, as partner of White Lake Associates pursuant to the Settlement Procedures Order, entered by this Court on

November 12, 2010 [Dkt. No. 3181].

6. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the adversary proceeding.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: November 4, 2016

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Associates, C.Z. Trust, as partner of White Lake
Associates, K.Z. Trust, as partner of White Lake
Associates, L.Z. Trust, as partner of White Lake
Associates*

SO ORDERED

Dated: November 4, 2016
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE